



"The City With a Heart"

Larry Franzella, Mayor
Rico Medina, Vice Mayor
Ken Ibarra, Councilmember
Irene O'Connell, Councilmember
Jim Ruane, Councilmember

MINUTES

CITY COUNCIL REGULAR MEETING

September 12, 2006

7:00 p.m.

THIS IS TO CERTIFY THAT: The San Bruno City Council met in regular session on September 12, 2006 at the San Bruno Senior Center, 1555 Crystal Springs Road. The meeting was called to order at 7:05 p.m.

Vice Mayor Medina thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

1. ROLL CALL: Presiding was Vice Mayor Medina with Councilmembers, Ruane, Ibarra and O'Connell in attendance. Mayor Franzella was absent with notice. Recorded by City Clerk Bonner.

PLEDGE OF ALLEGIANCE: Led by State Assemblyman **Gene Mullin**.

State Assemblyman **Gene Mullin** said he is looking to carry legislation from the County and asked San Bruno to consider sharing any issues that surface having to do with City Government or County matters.

ANNOUNCEMENTS:

- a. Introduction of San Bruno Chamber of Commerce's New Executive Director Laura Baughman.

Chamber of Commerce's Interim President **Tammy Del Bene** introduced their new Executive Director, **Laura Baughman** who shared her visions and excitement for her new position. She invited everyone to come to the Autumn Fest, October 7 at San Bruno City Park.

- b. The San Bruno Redevelopment Agency Meeting Follows Tonight's City Council Meeting.

PRESENTATIONS:

- a. Present Awards for the Culture and Arts Commission "Best of San Bruno" Photo Contest.

Library Director Jackson introduced and congratulated the Photo Contest winners, Francine Wooley, Rainer Matausch and Samantha Carneiro.

- b. Receive Presentation on the 2006 Sister City Delegation visit to Narita, Japan.

City Attorney Thompson thanked the City for the opportunity to go to Japan. **Senior Planner Aknin** also expressed his excitement over the trip. **Jeff Bowman** and **Bob Darling**, teachers from Parkside were in attendance and each of the following students gave a brief description of their trip: **Carmen Carrillo, Sarah Fraser, Madeline Graf, Scarlet Urtecho, Casey Bruce, Nigel Bocangegra Speed, Adam Klick, Nick Medina and Jocelyn Campia**.

Councilmember Ibarra and **Vice Mayor Medina** thanked the students for their presentation.

c. Adopt Proclamation Declaring September 2006 as Prostate Cancer Awareness Month in the City of San Bruno.

Vice Mayor Medina briefly read the Proclamation and presented it to Councilmember Ruane.

Councilmember Ruane commented on the importance of being checked for Prostate Cancer.

2. REVIEW OF AGENDA: No changes were made.

3. APPROVAL OF MINUTES: Regular City Council Meeting of August 8, 2006 and Special Council Meetings of August 24 and 30, 2006, were approved as submitted.

4. CONSENT CALENDAR: All items listed are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by Councilmember, citizen or staff.

a. **Approve:** Payroll of August 6 and August 20, 2006.

b. **Approve:** Accounts Payable of July 31, August 7, 14 and 21, 2006.

c. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated July 31, 2006, as Submitted by City Treasurer John Marty.

d. **Adopt:** Resolution Establishing Salary and Benefits for the Elected City Clerk and City Treasurer Positions.

e. **Accept:** Resignation from Personnel Board Member Deorsie Kenyatta, Declare a Boardmember Position Vacant and Direct the City Clerk to Initiate the Process for Appointment of a New Member.

f. Receive 2006 Local Agency Biennial Notice Regarding Amendments to Local Conflict of Interest Code.

M/S Ibarra/Ruane and passed with a unanimous vote.

5. PUBLIC HEARINGS:

a. Hold Public Hearing, Waive First Reading and Introduce Ordinances Adjusting Water and Wastewater Rates as Presented in the Notice of Proposed Increases Mailed to all Property Owners for FY 2006-07, FY 2007-08 and FY 2008-09.

City Manager Jackson introduced **Finance Director O’Leary** who provided an overview of the Water and Wastewater Rate increases. **City Manager Jackson** provided an additional overview, which included how homeowners were notified via mail of the proposed increases and their right to protest. Four letters were received by the City, three to protest and one positive. She noted the deterioration of the 100 to 150 year old infrastructure.

Vice Mayor Medina asked the public if anyone wished to speak on this subject.

M/S Ruane/Ibarra to close the public hearing and passed with a unanimous vote.

Councilmember Ibarra asked what other City’s pay? In particular, those Cities who are on SFPUC for Hetch Hetchy water, how much more do they pay for their water in comparison to San Bruno residents who have well water? How many other cities are implementing such an aggressive capital improvement program? How much of what we pay each month goes into fixing what is underground? It is easier for the residents to distinguish between cost of water and sewer and what it costs to take care of the pipes.

City Manager Jackson said staff would have answers back at the next meeting.

Councilmember Ibarra acknowledged Councilmember O’Connell’s persistence in pursuing the implementation of this program.

City Manager Jackson said the variability of PUC water rates is not in our control and their rates are projected to increase because of their capital program and seismic retrofit program.

Vice Mayor Medina felt the residents needed education to understand the reality of the maintenance.

M/S Ruane/Ibarra to waive the first reading and passed with a unanimous vote.

Councilmember Ruane introduced the ordinance for adoption and passed with all ayes.

b. Receive Oral Report and Continue Public Hearing, Regarding Ordinance Amending Section 12.84.150 of the San Bruno Municipal Code to Allow an Additional 2’ Lattice on top of a Fence, Wall or Screening Planting, to Define Fence Height and Allow Discretionary Review for Fences Within 25’ from the Street Corner.

City Manager Jackson asked to continue this item until September 26.

M/S Ibarra/Ruane to continue and passed with a unanimous vote.

c. Hold Public Hearing, Waive First Reading and Introduce Ordinance Amending Section 12.84.030 of the San Bruno Municipal Code Regulating Temporary Land Uses.

Community Director Heyden orally reviewed the staff report and asked for approval.

Councilmember O’Connell questioned the consequences if these things weren’t done.

Community Director Heyden said it could be handled through the code enforcement program or the mechanism to bring forward a use permit back to the Planning Commission.

Councilmember O’Connell said maybe the consequences should be more immediate and spelled out.

Vice Mayor Medina clarified maybe this ordinance should be more streamlined.

Councilmember O’Connell concurred.

City Attorney Thompson asked if she could research this matter further.

Councilmember O’Connell asked how to proceed.

City Attorney Thompson said they could either hold it or wait for her to find an answer or go forward with it and if she was able to recommend language that amends it, a subsequent amendment can be done.

Community Director Heyden said the process is administrative up to three months giving the ability to revoke immediately without going through a process.

Councilmember Ibarra felt short term projects could be handled administratively with guidelines. In contrast he did not feel construction projects could be compared with short-term projects.

Councilmember O’Connell questioned the time frame and violations.

City Attorney Thompson said the administrative process might be appropriate for the approvals granted by the Community Development Director. The process would be different for those projects by the Planning Commission. She said she would do further research.

Vice Mayor Medina asked if anyone from the public wished to speak.

M/S Ruane/Ibarra and passed with a unanimous vote.

Vice Mayor Medina pointed out there were a couple of items raised by Council.

City Manager Jackson asked if staff could come back to Council at the next meeting with more definitive thoughts about the issues raised.

Councilmember Ibarra asked if we allow temporary use.

Community Director Heyden said historically this has been allowed through the use permit process.

Councilmember Ibarra asked for past examples.

City Manager Jackson sited one of the problems was the City's own use of the area under I-380. She said the ordinance is a means of formalizing and better implementing and enforcing the City's interests.

M/S Ibarra/O'Connell to continue this item with the provision the Public Hearing be reopened and passed with a unanimous vote.

6. UNFINISHED BUSINESS: None.

7. CALL FOR, PRESENTATION OF BIDS, AND AWARD OF CONTRACT: None.

8. COMMUNICATIONS:

Vice Mayor Medina displayed a card received by the residents of the 100 and 200 blocks of Cypress thanking the entire staff and Council for their speed humps.

9. STAFF REPORTS:

a. Adopt Resolution Endorsing Proposition 1C, the Housing and Emergency Shelter Trust Fund Act of 2006, on the November 2006 Statewide Ballot.

City Manager Jackson said this infrastructure bond measure addresses the urgent need for affordable housing for all segments. She asked for Council's support.

Councilmember O'Connell supported this wholeheartedly.

Councilmember O'Connell introduced the resolution and passed with all ayes.

b. Adopt Resolution Approving Artichoke Joe's Casino Request for Continuation of the Reduced Number of Authorized Tables Subject to the City Tax and Tax Amount of \$1,350,100 for FY 2006-07.

Finance Director O'Leary reviewed the staff report and asked Council continue the reduced number of authorized tables.

Councilmember Ibarra thanked the Finance Director for his explanation.

Councilmember Ibarra introduced the resolution for adoption and passed with all ayes.

c. Adopt Resolution Authorizing the City Manager to Execute an Agreement for Professional Planning Consulting Services with Cannon Design Group for an Amount Not to Exceed \$25,000.

Community Development Director Heyden requested Council approve continuance of an agreement with Cannon Design Group.

Councilmember Ibarra asked if this included any of the proposed design guidelines discussed during budget session. He asked if this was for downtown design guidelines.

Community Development Director Heyden said it was for review of development applications for consistency with the current design guidelines.

Councilmember Ibarra asked the limit of the projects.

Community Development Director Heyden replied it applies to large and small projects.

Councilmember Ruane introduced the resolution for adoption and passed with all ayes.

10. REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None.

11. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Rose Urbach, Euclid Avenue said the street sweeper did not sweep her street. She also asked when the Council Chambers would be coming back to City Hall.

Vice Mayor Medina directed staff to look into it.

12. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

13. NEW BUSINESS:

Vice Mayor Medina gave a brief overview of the 100-year anniversary of the San Bruno Park School District starting September 22 at Allen School. Events and activities will take place in June of 2007.

Vice Mayor Medina thanked everyone who participated in the dedication of the Robert Greenberg field at Commodore Park.

Vice Mayor Medina recessed the Council Meeting to convene to Redevelopment Agency Meeting at 8:45 p.m.

Vice Mayor Medina reconvened the Council Meeting at 8:54 p.m.

City Clerk Bonner reminded the public the deadline for submission of applications to the Commissions, Boards and Committees is Friday, September 15, 2006.

Vice Mayor Medina reminded the public of the five year anniversary of September 11, 2001 and acknowledged our public safety personnel who serve this community every day.

14. ADJOURNMENT:

Vice Mayor Medina closed the meeting in a moment of silence for Robert Greenberg who served our community in many ways.

There being no further business to transact, the meeting was adjourned at 8:57 p.m. to closed session. The next regular City Council meeting will be held on September 26, 2006, 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road.

Closed Session:

City Attorney Thompson requests closed session to receive direction from City Council regarding potential claim.(Gov't Code Section 54956.9(b)).

Respectfully submitted for approval
at the regular City Council Meeting of
September 26, 2006

Carol Bonner, City Clerk

Larry Franzella, Mayor